

Maine Revised Statutes
Title 13: CORPORATIONS
Chapter 83: CEMETERY CORPORATIONS

§1371. APPROVAL FOR REPAIR, MAINTENANCE AND REMOVAL

1. Prior authorization or approval for repair, maintenance or removal. Any person may repair, maintain or remove, subject to the restrictions of subsection 2, any tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or any portion or fragment of any such memorial, or any fence, railing, curb or other enclosure for the burial of the dead, after obtaining:

A. The authorization of the owner of the burial lot or a lineal descendent of the deceased buried there, if reasonable to locate and notify; or [1987, c. 326, §1 (NEW).]

B. The written approval of the municipality or, in the case of unorganized territory, the county in which the cemetery or burial ground is located. [1987, c. 326, §1 (NEW).]

[1987, c. 326, §1 (NEW) .]

2. Conditions on removal. Removal of a tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or a portion or fragment of a memorial, is permitted only for the purpose of preservation. A tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or a portion or fragment of a memorial, may not be removed from the confines of the cemetery or burial ground, except that a person who has obtained authorization or approval described in subsection 1, paragraph A or B, may remove all or a portion of a memorial for a period of no longer than 6 months for the purpose of repair, restoration or preservation, but only when repair, restoration or preservation can not reasonably be accomplished on the site of the cemetery or burial ground. Prior to removal of the memorial, a notice must be submitted to the municipality, or to the county in the case of an unorganized territory, stating the location of the burial ground, the identification of the memorial, the authority requesting the removal, the site to which the memorial will be temporarily removed, the proposed date of removal and the proposed date of replacement in the burial ground.

[1997, c. 193, §1 (AMD) .]

SECTION HISTORY

1987, c. 326, §1 (NEW). 1997, c. 193, §1 (AMD).

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